IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

Crl.Rev.Pet.No. 3304 of 2005(C)

CRA.296/2001 of ADDL. SESSIONS COURT (ADHOC), TRIVANDRUM
CC.546/1996 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II,NEYYATTINKARA

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REVN. PETITIONER: APPELLANT/ACCUSED

RAJASEKHARAN NAIR,
S/O.SREEDHARAN PILLAI,
SREE NIVAS, KARAKONAM, KUNNATHUKAL VILLAGE,
NEYYATTINKARA.

BY ADV. SRI.G.SUDHEER KARAKONAM

RESPONDENTS: COMPLAINANT

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1. K.BHASKARAN NAIR,
MANIKANTA SADANAM,
NEDIYANCODE, PARASSUVAIKAL VILLAGE,
NEYYATTINKARA.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 24/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.

Crl.R.P. No.3304 of 2005

Dated this 24th day of January, 2007.

O R D E R

Revision Petitioner is the accused in C.C.No.546 of 1996 on the file of the Judicial First Class Magistrate's Court No.II, Neyyattinkara. First respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for one year under Section 138 of the Negotiable Instruments Act. In appeal filed by him, the conviction and sentence were confirmed by the Additional Sessions Court. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.Appl.No.810 of 2007 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the first respondent. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.Appl.No.810 of 2007 and Revision Petition are allowed.

vgs. **K. HEMA, JUDGE.**